



EXPRESS MAIL NO. EV530946547US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert A. Henderson et al.  
Application No. : 09/902,941  
Filed : July 10, 2001  
For : COMPOSITIONS AND METHODS FOR THE THERAPY AND  
DIAGNOSIS OF LUNG CANCER  
Examiner : Young J. Kim  
Art Unit : 1637  
Docket No. : 210121.478C17  
Date : April 25, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FIFTH SUPPLEMENT INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 CFR 1.56 and 1.97 through 1.98, applicants wish to make known to the U.S. Patent and Trademark Office the references set forth on the attached Form PTO-1449. Copies of all cited references are enclosed. As to any reference cited, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 CFR 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Fifth Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

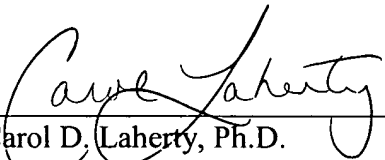
04/27/2005 WABDELRI 00000063 09902941

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180.00 0P

A fee of \$180 is submitted in accordance with 37 CFR 1.97(c). The Director is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 19-1090.

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

  
\_\_\_\_\_  
Carol D. Laherty, Ph.D.  
Registration No. 51,909

CDL:ljt

Enclosures:

Form PTO-1449  
Cited References (9)

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).

# **FEE TRANSMITTAL** **for FY 2005**

**Complete if Known**

Application Number	09/902,941
Filing Date	July 10, 2001
First Named Inventor	Robert A. Henderson
Examiner Name	Young J. Kim
Art Unit	1637
Attorney Docket No.	210121.478C17

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)**180**
**METHOD OF PAYMENT (check all that apply)**

☒ Check    ☐ Credit Card    ☐ Money Order    ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account    Deposit Account Number: 19-1090    Deposit Account Name: Seed IP Law Group PLLC  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☐ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, **except for the filing fee**  
☐ Charge any additional fee(s) or underpayments    ☒ Charge any underpayments or credit any overpayments of fee(s) under 37 CFR 1.16 and 1.17

**Warning:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**
**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u>	Fee (\$)	<u>Small Entity</u>	Fee (\$)	<u>Small Entity</u>	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	<u>Small Entity</u>
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
_____ -20 or HP = _____	X	_____	_____	Fee (\$)
				Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____ -3 or HP = _____	X	_____	_____

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)) the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ -100 = _____	/50 = _____	_____ (round up to a whole number)	x _____	_____

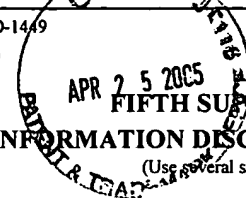
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**Supplemental Information Disclosure Statement Fee**
**180**
**SUBMITTED BY**

Signature	<i>Carol D. Laherty</i>	Registration No. (Attorney/Agent)	51,909	Telephone	206-622-4900
Name (Print/Type)	Carol D. Laherty, Ph.D.	Date	April 25, 2005		

FORM PTO-1449 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 210121.478C17	APPLICATION NO. 09/902,941
		APPLICANTS Robert A. Henderson et al.	
		FILING DATE July 10, 2001	GROUP ART UNIT 1637

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA						
AB						

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
AC					
AD					

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AE	U.S. Patent Office Examiner's Action, Tongtong Wang, USAN 09/614,124, November 29, 2001.
AF	U.S. Patent Office Examiner's Final Action, Tongtong Wang, USAN 09/614,124, May 1, 2002.
AG	U.S. Patent Office Notice of Allowance, Tongtong Wang, USAN 09/614,124, November 12, 2002.
AH	U.S. Patent Office Notice of Allowance, Tongtong Wang, USAN 09/614,124, May 7, 2003.
AI	Geneseq Database (Thomsan-Derwent), Accession No. AAA42613, August 21, 2000.
AJ	Geneseq Database (Thomsan-Derwent), Accession No. AAA45936, August 23, 2000.
AK	Geneseq Database (Thomsan-Derwent), Accession No. AAC10552, October 6, 2000.
AL	Geneseq Database (Thomsan-Derwent), Accession No. AAAC17098, October 6, 2000.
AM	Geneseq Database (Thomsan-Derwent), Accession No. AAX55997, July 15, 1999.

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).